

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendants.	12 Misc. 00115 (JSR)
In re MADOFF SECURITIES	
PERTAINS TO THE CASES LISTED IN EXHIBIT A	

**JOINDER TO THE TRUSTEE’S MEMORANDUM OF LAW
IN OPPOSITION TO CONSOLIDATED BRIEF
ON BEHALF OF *STERN* WITHDRAWAL DEFENDANTS**

Windels Marx Lane & Mittendorf, LLP is Special Counsel to Irving H. Picard, trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff (the “Trustee”), and is counsel of record for the Trustee in the adversary proceedings listed in Exhibit A. By Order of this Court dated April 13, 2012 (the “*Stern* Order”), the reference of certain adversary proceedings was withdrawn for the limited purpose of deciding the Withdrawn *Stern* Issues (as defined in the *Stern* Order).

In the above noted capacity, Windels Marx hereby joins in its entirety the Trustee’s Memorandum of Law in Opposition to Consolidated Brief on Behalf of *Stern* Withdrawal Defendants filed by Baker Hostetler on May 25, 2012 in the consolidated docket *SIPC v.*

Bernard L. Madoff Investment Securities LLC (In re Madoff Securities), District Court Case No. 12 Misc. 00115 (JSR) [Dkt. No. 141], and all arguments asserted therein.

Dated: New York, New York
May 25, 2012

By: /s/ Howard L. Simon
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*Special Counsel to Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
Bernard L. Madoff*

EXHIBIT A

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
1.	Credit Suisse AG, et al.	12-cv-02454	O'Melveny & Myers LLP William J. Sushon (wsushon@omm.com) Shiva Eftekhari (seftekhari@omm.com)
2.	Beacon Associates LLC I, et al.	12-cv-02310	Herrick, Feinstein, LLP Arthur G. Jakoby (ajakoby@herrick.com) Frederick E. Schmidt, Jr. (eschmidt@herrick.com) Cleary Gottlieb Steen & Hamilton LLP Lewis J. Liman (lliman@cgsh.com) Jeffrey A. Rosenthal (jrosenthal@cgsh.com) Hiscock & Barclay, LLP Brian Whiteley (bwhiteley@hblaw.com) Carolyn Marcotte (cmarcotte@hblaw.com) John M. Nichols (jnichols@hblaw.com) Rosenfeld & Kaplan, LLP Tab K. Rosenfeld (tab@rosenfelddlaw.com) Steven Kaplan (steve@rosenfelddlaw.com)
3.	Solon Capital, Ltd.	12-cv-02456	O'Melveny & Myers LLP William J. Sushon (wsushon@omm.com) Shiva Eftekhari (seftekhari@omm.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
4.	Zephyros Limited	12-cv-03533	O'Melveny & Myers LLP William J. Sushon (wsushon@omm.com) Shiva Eftekhari (seftekhari@omm.com)
5.	Mistral (SPC)	12-cv-03532	O'Melveny & Myers LLP William J. Sushon (wsushon@omm.com) Shiva Eftekhari (seftekhari@omm.com)
6.	Trincaster Corporation	12-cv-02486	Cravath, Swaine & Moore LLP David Greenwald (dgreenwald@cravath.com) Richard Levin (rlevin@cravath.com)
7.	Miles Q. Fiterman Revocable Trust, et al.	11-cv-08988	Robins, Kaplan, Miller & Ciresi LLP Michael V. Ciresi (mvciresi@rkmc.com) Thomas B. Hatch (tbhatch@rkmc.com) Damien A. Riehl (dariehl@rkmc.com) Jones & Schwartz P.C Harold Jones (hjones@jonesschwartz.com)
8.	Financiere Agache	12-cv-00259	Barack Ferrazzano Kirschbaum & Nagelberg LLP William J. Barrett (william.barrett@bfkn.com) Kimberly J. Robinson (kim.robinson@bfkn.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
9.	Fiterman Investment Fund, et al.	11-cv-08984	Robins, Kaplan, Miller & Ciresi LLP Michael V. Ciresi (mvciresi@rkmc.com) Thomas B. Hatch (tbhatch@rkmc.com) Damien A. Riehl (dariehl@rkmc.com) Jones & Schwartz P.C Harold Jones (hjones@jonesschwartz.com)
10.	Robert Nystrom	12-cv-02403	Friedman Kaplan Seiler & Adelman LLP William P. Weintraub (wweintraub@fklaw.com) Gregory W. Fox (gfox@fklaw.com) Clayman & Rosenberg LLP Seth L. Rosenberg (rosenberg@clayro.com) Brian D. Linder (linder@clayro.com)
11.	Edward Blumenfeld, et al.	12-cv-02405	Friedman Kaplan Seiler & Adelman LLP William P. Weintraub (wweintraub@fklaw.com) Gregory W. Fox (gfox@fklaw.com) Clayman & Rosenberg LLP Seth L. Rosenberg (rosenberg@clayro.com) Brian D. Linder (linder@clayro.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
12.	Miles & Shirley Fiterman Charitable Foundation, et al.	11-cv-08989	Robins, Kaplan, Miller & Ciresi LLP Michael V. Ciresi (mvciresi@rkmc.com) Thomas B. Hatch (tbhatch@rkmc.com) Damien A. Riehl (dariehl@rkmc.com) Jones & Schwartz P.C Harold Jones (hjones@jonesschwartz.com)
13.	XYZ2 Corp. (Redacted – Under Seal)	12-cv-02882	Cooley LLP Lawrence C. Gottlieb (lgottlieb@cooley.com) Michael A. Klein (mklein@cooley.com)
14.	PetCareRX, Inc.	12-cv-02932	Dickstein Shapiro LLP Deborah A. Skakel (skakeld@dicksteinshapiro.com) Shaya M. Berger (bergers@dicksteinshapiro.com)
The following lead case of <i>Picard v. Stanley I. Lehrer, et al. (Defendants Neal Goldman and Linda Sohn)</i>, District Court Case No. 12-cv-02429, and the one case that filed a joinder to such lead case's Motion to Withdraw the Reference:			
15.	Stanley I. Lehrer, et al. (Defendants Neal Goldman and Linda Sohn)	12-cv-02429	Mintz & Gold LLP Steven G. Mintz (mintz@mintzandgold.com) Terence W. McCormick (mccormick@mintzandgold.com) Daniel K. Wiig (wiig@mintzandgold.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
16.	Stanley I. Lehrer, et al. (Defendants Evelyn Fisher, individually, and in her capacity as Trustee for Trust U/W/O David L. Fisher and Trust U/T/A 8/20/90, Trust U/W/O David L. Fisher, Trust U/T/A 8/20)	12-cv-02458	Mintz & Gold LLP Steven G. Mintz (mintz@mintzandgold.com) Terence W. McCormick (mccormick@mintzandgold.com) Daniel K. Wiig (wiig@mintzandgold.com)
The following cases, which filed joinders to the Motion to Withdraw the Reference filed in <i>Picard v. Goldstein</i>, District Court Case No. 11-cv-08491:			
17.	Elaine S. Stein	12-cv-02579	Golenbock Eiseman Assor Bell & Peskoe LLP Michael Weinstein (mweinstein@golenbock.com) Douglas L. Furth (dfurth@golenbock.com)
18.	Stanley Plesent	12-cv-03403	Pro Se Defendant 24 Maple Avenue Larchmont, NY 10538 914-834-8260 [No email address provided]
19.	Arthur M. Siskind	11-cv-08476	Kramer Levin Naftalis & Frankel LLP Elise Scherr Frejka (efrejka@kramerlevin.com) Philip Bentley (pbentley@kramerlevin.com)
20.	Stanley I. Lehrer, et al. (Defendants Stuart M. Stein, Arthur Siskind, Arthur J. Feibus, Jamat Company, LLC, Mestro Company)	11-cv-08679	Kramer Levin Naftalis & Frankel LLP Elise Scherr Frejka (efrejka@kramerlevin.com) Philip Bentley (pbentley@kramerlevin.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
21.	Stanley I. Lehrer, et al. (Defendant Douglas Ellenoff)	12-cv-02079	Ellenoff Grossman & Schole LLP Ted Poretz (tporetz@egsllp.com)
22.	Stanley I. Lehrer, et al. (Defendants Elaine S. Stein and Elaine S. Stein Revocable Trust)	12-cv-02578	Golenbock Eiseman Assor Bell & Peskoe LLP Michael Weinstein (mweinstein@golenbock.com) Douglas L. Furth (dfurth@golenbock.com)
23.	Stanley I. Lehrer, et al. (Defendant Neuberger Berman LLC)	Not yet assigned	Krebsbach & Snyder, P.C. Victor A. Machcinski, Jr. (vmachcinski@krebbsbach.com)
The following cases, which filed joinders to the Motion to Withdraw the Reference filed in <i>Picard v. Kansler</i>, District Court Case No. 11-cv-08533:			
24.	Anne Squadron, et al.	11-cv-08900	Lax & Neville LLP Barry R. Lax (blax@laxneville.com) Brian J. Neville (bneville@laxneville.com) Gabrielle Pretto (gpretto@laxneville.com)
25.	Armand Lindenbaum	11-cv-08835	Lax & Neville LLP Barry R. Lax (blax@laxneville.com) Brian J. Neville (bneville@laxneville.com) Gabrielle Pretto (gpretto@laxneville.com)
The following case, which has been consolidated with <i>Picard v. Hein</i>, District Court Case No. 11-cv-04936:			
26.	Epic Ventures, LLC, et al.	11-cv-07681	SNR Denton US LLP Carole Neville (carole.neville@snrdenton.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
The following case, which filed a joinder to the Motion to Withdraw the Reference filed in <i>Picard v. Goldstein</i>, District Court Case No. 11-cv-08491, and the Motion to Withdraw the Reference in <i>Picard v. Hein</i>, District Court Case No. 11-cv-04936:			
27.	Stanley I. Lehrer, et al. (Defendant Elaine Stein Roberts)	12-cv-01811	SNR Denton US LLP Carole Neville (carole.neville@snrdenton.com)
The following cases, which have been consolidated with <i>Picard v. Abel</i>, District Court Case No. 11-cv-07766:			
28.	David Abel	11-cv-07766	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
29.	Stanley I. Lehrer, et al. (Defendant Eunice Chervony Lehrer)	11-cv-08269	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
30.	Robert Yaffe	11-cv-08265	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
31.	Triangle Properties #39, et al.	11-cv-08008	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
32.	Judith Rechler	11-cv-07967	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
33.	Shirley Friedman, et al.	11-cv-08266	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
34.	Roger Rechler Revocable Trust, et al.	11-cv-07987	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
35.	Bevro Realty Corp. Defined Benefit Pension Plan, et al.	11-cv-08108	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
36.	Reckson Generation, et al.	11-cv-08226	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
37.	Bert Brodsky Associates, Inc. Pension Plan, et al.	11-cv-08216	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
38.	Realty Negotiators Defined Benefit Pension Plan, et al.	11-cv-08273	Becker & Poliakoff LLP Helen Davis Chaitman (hchaitman@becker-poliakoff.com)
The following cases, which filed joinders to the Motion to Withdraw the Reference filed in <i>Picard v. Nathan Cohen</i>, District Court Case No. 12-cv-00519:			
39.	Madoff Technologies LLC, et al. (Defendants Alberto Casanova and the Alberto Casanova Revocable Living Trust)	12-cv-02288	Akerman Senterfitt LLP Susan F. Balaschak (susan.balaschak@akerman.com) Kathlyn Schwartz (kathlyn.schwartz@akerman.com) Elissa P. Fudim (elissa.fudim@akerman.com) Michael I. Goldberg (michael.goldberg@akerman.com)
40.	The Gettinger Foundation	12-cv-02287	Akerman Senterfitt LLP Susan F. Balaschak (susan.balaschak@akerman.com) Kathlyn Schwartz (kathlyn.schwartz@akerman.com) Elissa P. Fudim (elissa.fudim@akerman.com) Michael I. Goldberg (michael.goldberg@akerman.com)

	CASES	DISTRICT COURT CASE NO.	COUNSEL REPRESENTATION
41.	Martin Gettinger, et al.	12-cv-02285	Akerman Senterfitt LLP Susan F. Balaschak (susan.balaschak@akerman.com) Kathlyn Schwartz (kathlyn.schwartz@akerman.com) Elissa P. Fudim (elissa.fudim@akerman.com) Michael I. Goldberg (michael.goldberg@akerman.com)
42.	Miscork Corp. #1, et al.	12-cv-02289	Akerman Senterfitt LLP Susan F. Balaschak (susan.balaschak@akerman.com) Kathlyn Schwartz (kathlyn.schwartz@akerman.com) Elissa P. Fudim (elissa.fudim@akerman.com) Michael I. Goldberg (michael.goldberg@akerman.com)
43.	Hoboken Radiology, LLC	12-cv-02290	Nixon Peabody LLP Thomas M. Mealiffe (tmealiffe@nixonpeabody.com) Joseph J. Ortego (jortego@nixonpeabody.com) James W. Weller (jweller@nixonpeabody.com)